



## ADA Facts

# DANGER TO SELF OR OTHERS.

### ▼ What if someone is a danger to themselves or others?

Imagine you have a friend or loved one with an alcohol or drug problem. You have tried everything you can think of to help them, but they only get worse. Now their addiction has progressed to the point you fear they are a danger to themselves or someone else. What can you do? You are not alone. This scenario describes the majority of consumer inquiries received by the Division of Alcohol and Drug Abuse.

### ▼ Alcohol or Drug Impairment

Persons with alcohol or drug addiction often are impaired by their intoxicated state. Sometimes this impairment poses a danger to the health and safety of themselves or others. The progressive nature of the addiction means without intervention or treatment the harmful consequences of the addiction will more frequently lead to behavior that threatens the health and safety of the addicted person and/or others. Alcohol and many other substances reduce rational thinking, decrease impulse control, and lead to aggressive behavior.

### ▼ Voluntary is always best

It is always best to encourage individuals with addiction to seek help voluntarily. However many times an addicted individual poses a threat to the health and safety of themselves or others and are unwilling to voluntarily obtain the help they need. In this case a friend or family member has several legal options.

### ▼ 911

First if the situation is an emergency, call 911 and allow the local emergency response personnel to do their job. An ambulance could transport the impaired person to an emergency room, where a physician will evaluate the person to determine if they need medical services, or if they meet the qualifications for involuntary civil detention. Ambulance personnel will transport if the person is unresponsive, or if they agree to go to the hospital. Missouri law also allows law enforcement officer the option of taking an intoxicated person into custody for 12 hours. Waking up in jail with a hangover sometimes provides motivation to change. If the option is going to jail or going to the hospital many people will choose the latter.

### ▼ Involuntary Civil Detention/ Commitment

Second Missouri also has a civil procedure to commit an individual to a detoxification program for 96 hours. This is usually accomplished by visiting the local courthouse and completing the necessary paperwork. A physician in an emergency room can also determine an individual is in imminent danger of harm to themselves or others; in that case they would proceed with involuntary civil detention. While committed to the detoxification program the client's withdrawal from alcohol and or drugs

will be monitored. They will be assessed further to determine if they are still in imminent danger of harm to themselves or others. In some cases usually involving significant impairment due to chronic mental illness an individual's involuntary civil detention can be extended by a judge 90 days, or more.

### ▼ Guardianship

Third as a last resort when a person has impairment that is long-term and not expected to improve it is possible to have a guardian appointed that will make important decisions for the impaired individual. This is a process that requires a judge and would be initiated by visiting your local courthouse.

### ▼ For More Information

Fact sheets:

Addictions in the Family

Civil Detention [http://www.modmh.state.mo.us/cps/civil/cd\\_index.htm](http://www.modmh.state.mo.us/cps/civil/cd_index.htm)

Missouri Guidelines for Law Enforcement Officers in Handling Persons with Mental Illness <http://www.modmh.state.mo.us/cps/guidelaw/glindex.htm>



For more information,  
contact the  
Missouri Department of  
Mental Health,  
Division of  
Alcohol and Drug Abuse  
P.O. Box 687  
1706 East Elm  
Jefferson City, MO 65102  
573-751-4942  
or 1-800-364-9687  
[www.modmh.state.mo.us](http://www.modmh.state.mo.us)

